IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 1271 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/12/2003 in WP NO : 20093 OF 1994 on the file of the High Court.)

Between:

1 The Deputy Commandant, CISF Unit, SCCL Srirampur Adilabad District, Andhra Pradesh.
2 The Deputy Inspector General/SZ Central Industrial Security Force, Southern Zone, Adilabad.

..... APPELLANT(S)

AND

R.U.Rai, s/o D.N.Rai,
H.Q.Coy, CISF Unit, VPT Visakhapatnam, r/o Visakhapatnam-530 036.

.....RESPONDENT

Counsel for the Appellant:MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent : SMT.V.MEENAKSHI

The Court made the following :

JUDGMENT : (Per Sri Bilal Nazki, J).

Admittedly there is no power with the appellants to impose the punishment which had been imposed and which has been set aside by the learned Single Judge. The punishment imposed was reduction of pay to the two years lowest in the Scale with cumulative effect, which according to the petitioner, was not at all provided in the Rules. Therefore, in our view, the learned Single Judge was right in allowing the Writ Petition. On similar issue, another Writ Appeal being Writ Appeal No.1041 of 2004 has already been dismissed by a Division Bench of this Court.

Writ Appeal is accordingly dismissed. No costs.

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(BILAL NAZKI, J)

23rd August, 2004.

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(S.ANANDA REDDY, J)

ajr.

To

1 The Deputy Commandant, CISF Unit, SCCL Srirampur Adilabad District, Andhra Pradesh.
2 The Deputy Inspector General/SZ Central Industrial Security Force, Southern Zone, Adilabad.

3 Two C.D. copies.